

**COPY**

**COMBINED DECLARATION AND POWER OF ATTORNEY**  
**Original United States Patent Application**

As a below named inventor I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: METHOD FOR FORMING A CONTACT OPENING

**IDENTIFICATION OF SPECIFICATION:**

The specification of which is attached hereto unless the following item is checked:

was filed on \_\_\_\_\_ as United States Application Serial Number \_\_\_\_\_ and was amended on \_\_\_\_\_ (if applicable).

**ACKNOWLEDGEMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR:**

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56, including, for continuation-in-part applications, material information which became available between the filing date of the prior application and the continuation-in-part application.

**FOREIGN PRIORITY CLAIM:**

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application(s) for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

| APPLICATION NUMBER | COUNTRY        | DATE OF FILING<br>(day, month, year) | Certified Copy Attached             |
|--------------------|----------------|--------------------------------------|-------------------------------------|
| 92125705           | Taiwan, R.O.C. | 18-September-2003                    | <input checked="" type="checkbox"/> |
|                    |                |                                      | <input type="checkbox"/>            |
|                    |                |                                      | <input type="checkbox"/>            |
|                    |                |                                      | <input type="checkbox"/>            |

Additional foreign application(s) are listed on a supplementary priority data sheet attached hereto.

**FOREIGN APPLICATIONS FILED MORE THAN 12 MONTHS PRIOR TO THIS U.S. APPLICATION:**

| APPLICATION NUMBER | COUNTRY | DATE OF FILING<br>(day, month, year) |
|--------------------|---------|--------------------------------------|
|                    |         |                                      |
|                    |         |                                      |
|                    |         |                                      |

Additional foreign application(s) filed more than 12 months prior to this U.S. application are listed on a supplementary foreign application sheet attached hereto.

**POWER OF ATTORNEY:**

As named inventor, I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

**Nelson A. Quintero, #52,143, of the firm Quintero Law Office**

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/organization who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Quintero Law Office to the contrary.

**Please direct all correspondence to:**  
Nelson A. Quintero, Esq.  
Quintero Law Office  
1617 Broadway, 3<sup>rd</sup> Floor  
Santa Monica, California 90404

**Please direct telephone calls to:**  
Nelson A. Quintero  
1-310-401-6180

**DECLARATION:**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**SIGNATURE(S):**

|  |   |   |   |
|--|---|---|---|
| <b>Full Name<br/>Of Inventor 1</b>                       | <b>Family Name</b><br>CHEN  | <b>First Given Name</b><br>Meng-Hung              | <b>Second Given Name</b>                              |
| <b>Residence<br/>&amp; Citizenship</b>                   | <b>City</b><br>Taoyuan  | <b>State or Foreign Country</b><br>Taiwan, R.O.C. | <b>Country of Citizenship</b><br>Taiwan, R.O.C.       |
| <b>Mailing<br/>Address</b>                               | <b>Address</b><br>No. 27, Alley 1, Lane 139,<br>Ming-Yo 11th Street,<br>Taoyuan, Taiwan, R.O.C. | <b>City</b><br>Taoyuan                            | <b>State &amp; Zip Code/Country</b><br>Taiwan, R.O.C. |
| <b>Signature of Inventor 1:</b><br><i>Meng-Hung Chen</i> |   | <b>Date:</b><br>February 25, 2004                 |   |

## RECORDATION FORM COVER SHEET

To the Honorable Commissioner of Patents and Trademarks:  
Please record the attached original documents or copy thereof.

|  |   |
|--|---|
| 1. Name of conveying party(ies):<br><b>Meng-Hung CHEN</b><br>Additional name(s) of conveying parties attached?<br><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No  | 2. Name and address of receiving party(ies)<br>Name: <b>Nanya Technology Corporation</b><br>Internal Address:<br>Street Address: <b>Hwa-Ya Technology Park 669,<br/>Fuhsing 3 Rd., Kueishan</b><br>City: <b>Taoyuan</b> State: Zip:<br>Country: <b>TW</b><br>Additional names(s) & address(es) attached?<br><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| 3. Nature of conveyance:<br><input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger<br><input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of name<br><input type="checkbox"/> Other:<br>Execution Date: <b>2/25/2004</b> |   |
| 4. Application number(s) or patent number(s):<br>If this document is being filed together with a new application, the execution date of the new application is:<br><b>2/25/2004</b>  |   |
| A. Patent Application No.(s):<br><b>NEW</b>  | B. Patent No.(s):<br>Additional numbers attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No   |
| 5. Name and address of party to whom correspondence concerning this document should be mailed.<br>Name: <b>Quintero Law Office</b><br>Street Address: <b>1617 Broadway, 3<sup>rd</sup> Floor</b><br>City: <b>Santa Monica</b> State: <b>CA</b> Zip: <b>90404</b>         | 6. Total number of applications and patents involved: <b>1</b><br>7. Total fee (37 C.F.R. 3.41): <b>\$40</b><br>Enclosed<br><input checked="" type="checkbox"/> Authorized to be charged to deposit account, if no fee attached.  |
|  | 8. Deposit account number: <b>502447</b><br>(Attach duplicate cover sheet if paying by deposit account)   |

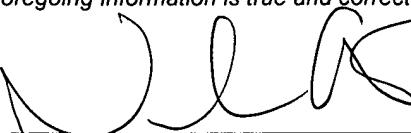
DO NOT USE THIS SPACE

9. Statement and signature.

*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.*

**Nelson A. Quintero, #52,143**

Name of person signing



Signature

**March 17, 2004**

Date

Total number of pages including cover sheet, attachments, and documents: **2**

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## ASSIGNMENT

EV 382 673 772 US

WHEREAS, Meng-Hung CHEN hereafter referred to as ASSIGNOR, has/have invented certain new and useful improvements as described and set forth in the below identified application for United States Letters Patent:

Title: METHOD FOR FORMING A CONTACT OPENING

Filed: \_\_\_\_\_ Serial No. \_\_\_\_\_  
Executed on: February 25, 2004

WHEREAS, NANYA TECHNOLOGY CORPORATION of Hwa-Ya Technology Park 669, Fuhsing 3 Rd., Kueishan, Taoyuan, Taiwan, R.O.C. hereinafter referred to as ASSIGNEE, is desirous of acquiring ASSIGNOR'S interest in the said invention and application and in any U.S. Letters Patent which may be granted on the same;

NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN: Be it known that, for good and valuable consideration, receipt of which is hereby acknowledged by Assignor, Assignor has/have sold, assigned and transferred, and by these presents does/do sell, assign and transfer unto the said Assignee, and Assignee's successors and assigns, all his/her/their rights, title and interest in and to the said invention and application and all future improvements thereon, and in and to any Letters Patent which may hereafter be granted on the same in the United States, the said interest to be held and enjoyed by said Assignee as fully and exclusively as it would have been held and enjoyed by said Assignor had this Assignment and transfer not been made, to the full end and term of any Letters Patent which may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

Assignor further agrees/agree that he/she/they will, without charge to said Assignee, but at Assignee's expense, cooperate with Assignee in the prosecution of said application and/or applications, execute, verify, acknowledge and deliver all such further papers, including applications for Letters Patent and for the reissue thereof, and instruments of assignment and transfer thereof, and will perform such other acts as Assignee lawfully may request, to obtain or maintain Letters Patent for said invention and improvement, and to vest title thereto in said Assignee, or Assignee's successors and assigns.

IN TESTIMONY WHEREOF, Assignor has/have signed his/her/their name(s) on the date(s) indicated.

Meng-Hung Chen  
Meng-Hung CHEN

February 25, 2004

Date: